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May 17, 2023

VIA ECF

The Honorable Jesse M. Furman
United States District Court, Southern District of New York
Thurgood Marshall U.S. Courthouse
40 Foley Square
New York, NY 10007

Re: *Abby Grossberg v. Fox Corporation, et. al.*
Civil Action No. 23-cv-02368 (JMF)

Dear Judge Furman,

I write in response to Parisi Filippatos' May 12, 2023 letter [DKT #37] and this Court's May 15, 2023 Order [DKT #38]. Mr. Filippatos accuses me of misleading this Court and providing "patently misleading and false" statements. That is inaccurate.

In his May 9, 2023 letter to the Court [DKT #32], counsel for Plaintiff raised an issue concerning my Firm's representation of Defendant Tucker Carlson and Defendants Fox News Network, LLC ("Fox News") and Fox Corporation. As an initial matter, such representation issues should be the concern of Defendants Carlson, Fox News and Fox Corporation, and Plaintiff's counsel's decision to burden this Court with his effort to interject himself into them was unnecessary from the start. While he purported to do so based on alleged concerns over "delay," all Defendants have accepted service, as reflected on the Waivers of Service filed by Plaintiff [DKT #s 20-28, 30], and by Mr. Filippatos' own admission, the responsive pleading deadline for all Defendants is not until mid-June.

Nevertheless, in response to Mr. Filippatos' May 9, 2023 letter, I informed this Court that going forward, Mr. Carlson would be represented by separate counsel in this matter. [See DKT #35.] I also advised the Court that this Firm had not entered an appearance for Mr. Carlson on this Court's docket, meaning that no further action was needed to effectuate the change in counsel. Both statements are true, as contrary to Mr. Filippatos' most recent assertions, execution of a waiver of service is not a formal notice of appearance and no notice of appearance has been filed as to Mr. Carlson.



To be clear, I did not and do not dispute our prior representation of Mr. Carlson.¹ However, my May 12, 2023 letter directly addressed the alleged issue raised by Mr. Filippatos -- “clarification from Baker & McKenzie LLP regarding the question of Mr. Carlson’s *continued* representation. . .” *Id.* (emphasis added). Mr. Filippatos’ attempt to cast my letter to the Court in any other light amounts to an *ad hominem* attack on my personal conduct and should be rejected.

As directed, I forwarded the Court’s Order [Dkt #38] to counsel for Mr. Carlson on May 15, 2023.²

Respectfully,

A handwritten signature in blue ink, appearing to read "Paul C Evans", on a light blue rectangular background.

Paul C Evans
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CC: All Counsel of Record (via ECF)

¹ Although not relevant to the issues raised by Mr. Filippatos, after the Complaints in this matter were filed, we were retained by Mr. Carlson and I executed a Waiver of Service on his behalf. Thereafter, it was decided that Mr. Carlson would retain separate counsel who would represent him in this case.

² Although not at issue in Mr. Filippatos’ May 9 or May 12 letters, my Firm previously represented Defendant Justin Wells and accepted service on his behalf, but did not enter an appearance as his counsel on this Court’s docket. We understand that Mr. Wells will be obtaining separate counsel to represent him in this matter.